

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: People of MI v David Vaughn
Docket No. 261175
L.C. No. 86-000820

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The motion to waive fees is GRANTED for this case only.

The delayed application for leave to appeal and motion to extend time to file application filed March 4, 2005, are DISMISSED for lack of jurisdiction because the defendant cannot appeal the January 15, 2004 order denying or rejecting the successive motion for relief from judgment. See MCR 6.502(G)(1). The Court would note that it does not have the authority to extend the filing period for this untimely application for leave to appeal, which is another reason for the dismissal, past the 12-month period required by MCR 7.205(F)(3).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR - 1 2005

Date

Sandra Schultz Mengel
Chief Clerk